

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

LARRY FITZPATRICK,
Plaintiff,

V.

**CITY OF MONTGOMERY,
ALABAMA, Defendant.**

Civil Action No.:2:07-CV-528

Date: July 28, 2008

PLAINTIFF'S REQUESTED VOIR DIRE

Comes now the Plaintiff in the above styled cause, and requests this Honorable Court to allow Plaintiff's Attorney to inquire of the potential juniors as follows:

1. Do any of you, or any member of your immediate family, know Mr.

Wallace Mills or Mr. Michael Boyle, the attorneys who represent the City of Montgomery in this case?

2. Do any of you know any other potential juror in the courtroom? If so, who
what is your relationship?

3. Do any of you own your own business?

4. Have any of you or any member of your family ever filed a grievance?

What was the outcome?

5. Have any of you or any member of your family had an employee file a discrimination complaint against the company for which you work?

6. The defendant in this case is the City of Montgomery. Do you, or does the
any for which you work, do business with the City?

7. Do you or any member of your family have any other financial interest in
ty?

8. Do any of you know any of the witnesses, or their immediate families, who will or may be called to testify in the case? These witnesses are:

- | | |
|----------------------|-----------------------|
| A. Larry Fitzpatrick | K. Jerry Young |
| B. Zella Fitzpatrick | L. Terry Gaddis |
| C. Robert Shuford | M. Eugene Knox |
| D. Donald White | N. Royce Albright |
| E. Rodney Hardy | O. Johnny Ray Smith |
| F. Charlie Crum | P. Michael Briddell |
| G. Gregory Johnson | Q. Mayor Bobby Bright |
| H. Roy Wilson | |
| I. Mark Jordan | |

J. Michael Moore

9. Do any of you believe race discrimination is a thing of the past, or that it no longer exists?

10. Are any of you tired of hearing complaints of race discrimination?

11. Are any of you inclined to believe what a city official says, merely because that person is a city official?

12. Are any of you against lawsuits as a matter of principle?

13. Do you believe that an employer's firing of an employee can cause that employee to suffer mentally or emotionally?

14. Would you be unable, due to personal beliefs, to award a substantial amount of money to Mr. Fitzpatrick, if there is proof of wrongdoing by the City and evidence of loss of earnings and/or emotional damages?

15. Would any of you be unable to award substantial damages to Mr. Fitzpatrick because you believe the City is financially unable to pay?
16. Have any of you ever fired anyone?
17. Have any of you ever been involved in the decision to fire someone?
18. Have any of you or any member of your family ever been fired from a job?
19. Do any of you believe it is permissible for the City of Montgomery to use race as a factor in deciding to discipline or to discharge an employee?
20. Is there any reason why you could not be fair and impartial to the parties on both sides of this lawsuit?

Respectfully submitted, this the 28th day of July, 2008.

/s/ Joseph C. Guillot
Joseph C. Guillot
Attorney for Plaintiff

OF COUNSEL:
McPhillips Shinbaum L.L. P.
516 S. Perry Street
P.O. Box 64
Montgomery, AL 36101
(334) 262-1911

CERTIFICATE OF SERVICE

I hereby certify that this 28th day of July, 2008, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Wallace Mills, Esq.
City of Montgomery Attorney's Office
103 N. Perry Street, Room 200
Montgomery AL 36104

/s/ Joseph C. Guillot
OF COUNSEL